

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$10,000.00 IN UNITED STATES
CURRENCY,

Defendant.

8:12CV140

MEMORANDUM AND ORDER

This case is set to be tried on August 29, 2013. The court conferred with counsel today and was advised that the claimant's attorney cannot locate or reach the claimant, Pedro P Herrera, at this time. According to his attorney, Mr. Herrera is aware of the scheduled trial date.

Claimant's counsel orally moved to continue the trial. The motion is unopposed.

Accordingly,

IT IS ORDERED:

- 1) The trial of this case is continued pending further order of the court.
- 2) A telephonic conference with the undersigned magistrate judge will be held on September 13, 2013 at 10:00 a.m. to discuss trial scheduling. Counsel for the claimant shall place the call.
- 3) The claimant is hereby advised that if this case cannot be re-scheduled for trial on September 13, 2013 because the claimant's whereabouts remain unknown at that time, his claim will be dismissed for want of prosecution and judgment will be entered in favor of the government.

August 28, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge